UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,694	08/31/2001	Matthew Gast	NC30561	2124

7590	03/16/2005

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EXAMINER
HA, LEYNNA A

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/944,694	GAST, MATTHEW
	Examiner	Art Unit
	LEYNNA T. HA	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-18 have been examined and are rejected under 35

U.S.C. 102(e).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   **Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated**

by Binding, et al. (US 6,775,772).

As per claim 1:

 Binding, et al. discloses a method for providing network security, comprising

the steps of:

        receiving a plurality of network protocol packets, wherein a network

protocol packet **(col.8, lines 39-67)** includes a network protocol header and a

plurality of network protocol data, and wherein the network protocol data

include a first cryptographic protocol header and a first plurality of encrypted

data; **(col.12, lines 42-43)**

determining a first plurality of cryptographic protocol rules associated with the network protocol data; **(col.15, lines 11-28)**

establishing a cryptographic session, if required by said first cryptographic rules; **(col.15, lines 59-61)**

applying the first plurality of cryptographic protocol rules to the first encrypted data to obtain a first plurality of cleartext data; **(col.15, lines 45-46)**

translating the first plurality of cleartext data into a second plurality of cleartext data in accordance with at least one translation rule; and **(col.15, lines 52-59)**

encrypting the second plurality of cleartext data in accordance with at least one rule associated with a second cryptographic protocol, resulting in a second plurality of encrypted data. **(col.16, lines 6-10)**

As per claim 2:

Binding, et al. discloses a system for providing network security, comprising:

an input module for receiving a plurality of network protocol packets; **(col.8, lines 39-67)**

a translation module for translating a first plurality of data into a second plurality of data; **(col.9, lines 3-5)**

an output module; and **(col.11, lines 54-65)**

a cryptographic module responsive to the input module and the output

module for performing cryptographic operations. **(col.12, lines 5-20)**

As per claim 3:

Binding, et al. discloses a system for providing network security, comprising:

means for receiving a request to perform a cryptographic operation;

(col.18, lines 19-27)

means for returning a response to the cryptographic operation request;

(col.18, lines 37-54)

at least one module for performing said cryptographic operations.

(col.19, lines 7-13)

As per claim 4:   See col.15, lines 61-62; discussing at least one translation

rule is predetermined.

As per claim 5:   See col.15, lines 14-15; discussing at least one translation

rule is determined dynamically.

As per claim 6:   See col.3, lines 5-7; discussing the first cryptographic

protocol is WTLS.

As per claim 7:   See col.4, lines 61-67; discussing the first plurality of

encrypted data is associated with WML.

As per claim 8:   See col.4, lines 61-67; discussing second plurality of

encrypted data is associated with HTML.

As per claim 9:   **See col.9, lines 10-14;** discussing the second cryptographic protocol is SSL over HTTP.

As per claim 10: See col.16, lines 3-4; discussing the first cryptographic protocol and the second cryptographic protocol are identical.

As per claim 11: See col.16, lines 3-4; discussing the first plurality of encrypted data and the second plurality of encrypted data conform to different revisions of a specification for the same cryptographic protocol.

As per claim 12: See col.9, lines 64-65; discussing at least one cryptographic module is a cryptographically strong pseudorandom number generator.

As per claim 13: See col.7, lines 1-10; discussing the cryptographic operations are performed using cryptographic acceleration hardware.

As per claim 14: See col.11, lines 29-35; discussing the cryptographic acceleration hardware includes a plurality of individual hardware acceleration units.

As per claim 15: See col.11, lines 29-35; discussing at least one individual hardware acceleration unit is dedicated to one function.

As per claim 16: See col.10, lines 5-10; discussing the cryptographic acceleration hardware is updateable by loading at least one cryptographically signed instruction.

As per claim 17: See col.12, lines 46-53; discussing the cryptographic acceleration hardware is tamper-resistant.
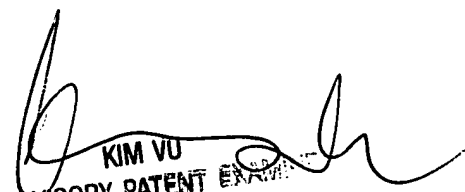
As per claim 18: See col.12, lines 46-53; discussing the cryptographic

acceleration hardware is tamper-evident.

Conclusion

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to LEYNNA T. HA whose telephone

number is (571) 272-3851. The examiner can normally be reached on Monday

- Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax

phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see

http://pair-direct.uspto.gov. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

KIM VU
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TECHNOLOGY CENTER 2100